REMARKS

In the Office Action mailed on May 18, 2007, the Examiner took the following action: (1) rejected claims 1-10 under 35 U.S.C. §102(b) as being anticipated by Trugman (U.S. 5,887,141); and (2) rejected claims 11-32 under 35 U.S.C. §103(a) as being unpatentable over Trugman in view of Levine (U.S. 2003/0177187). Applicants respectfully request reconsideration of the application in view of the foregoing amendments and the following remarks. .

In the interest of reducing the issues to be considered in this response, the following remarks focus primarily on the patentability of independent claims 1, 14, and 21, as well as several individual dependent claims. The patentability of the remaining dependent claims is not necessarily separately addressed in detail. However, Applicants' decision not to discuss the differences between the cited art and each dependent claim should not be considered as an admission that Applicants concur with the conclusions set forth in the Office Action that these dependent claims are not patentable over the disclosure in the cited reference. Similarly, Applicants' decision not to discuss differences between the prior art and every claim element, or every comment set forth in the Office Action, should not be considered as an admission that Applicants concur with the interpretation and assertions presented in the Office Action regarding those claims. Indeed, Applicants believe that the remaining dependent claims are also patently distinguishable over the cited references. Moreover, a specific traverse of the rejection of the remaining dependent claims is not required, since dependent claims are patentable for at least the same reasons as the independent claims form which the dependent claims ultimately depend.

I.   REJECTIONS UNDER 35 USC § 102(b) AND § 103(a)

Claims 1-10

Claim 1, as amended, recites:

> 1.   A computer-readable medium having computer-executable instructions that enable remote execution of a command, the instructions comprising:
>
> receiving a command line instruction including a remote command, the remote command identifying a task of execution to be performed on a remote system;
>
> initiating a session with at least two remote systems;
>
> *assigning each session to an environment variable configured such that a plurality of commands can concurrently use the session by referring to the environment variable;* and
>
> *causing the remote command to be executed* <u>*concurrently*</u> *on each of the at least two remote systems, including issuing the remote command to the environment variable.* (emphasis added).

Trugman (U.S. 5,887,141)

Trugman teaches distributing work from a server to remote nodes. According to Trugman, selected events are grouped into a Session Work Object (SWO), wherein each event defines at least one action to be performed on the remote node. (2:61-65). With reference to Figure 2, Trugman further teaches that a session 214 "is a scheduled connection between the server 110 and a node 116 for a specific time" and "is defined by a session name, a scheduled time and date, the SWO's in the session, and the node assignments for the session." (9:57-65). With respect to Figure 7, Trugman specifies that "SWO's are assigned to the session" (10:16-17), and with respect to Figure 8, Trugman teaches that events within an SWO are sorted by priority (at 806), a link is established (at 820), the "during" events of the SWO are run (at 822), and the link is disconnected (at 824). (10:42-47).

Applicants respectfully submit that Trugman fails to disclose, teach, or fairly suggest the computer-readable medium recited in claim 1. Specifically, Trugman fails to teach or suggest initiating a session with at least two remote systems, _assigning each session to an environment variable configured such that a plurality of commands can concurrently use the session by referring to the environment variable,_ and _causing the remote command to be executed concurrently on each of the at least two remote systems, including issuing the remote command to the environment variable,_ as recited in claim 1. Trugman teaches establishing a link and performing events contained in an SWO assigned to the node, but does not teach "assigning each session to an environment variable configured such that a plurality of commands can concurrently use the session by referring to the environment variable" as taught by Applicants.

Trugman is silent as to both "assigning each session to an environment variable," and also silent as to the "environment variable configured such that a plurality of commands can concurrently use the session by referring to the environment variable." The teachings of Trugman that the events contained within the SWO are "sorted by priority" (at 806 of Figure 8) fairly suggests a sequential performance of the events, which teaches away from, or at the very least fails to teach or fairly suggest, the method taught by Applicants wherein the environment variable is "configured such that a plurality of commands can concurrently use the session by referring to the environment variable." On the other hand, the techniques disclosed by Applicants achieves the performance benefit of concurrent command processing, rather than having to serially execute each remote command. (Specification, p. 9, lines 18-20).

Accordingly, Trugman fails to teach or fairly suggest the computer readable media recited in claim 1. Claims 2-10 depend from claim 1 and are allowable over Trugman at least due to their dependencies on claim 1, and also due to additional limitations recited in these claims. For example, as amended, claim 5 recites the computer-readable medium recited in claim 1, wherein _the remote system comprises a_

remote agent configured to return information to the local system wherein the information comprises at least one of a result of the execution, meta information, and information about the remote system from which the result originated. Similarly, claim 7 recites the computer-readable medium recited in claim 1, wherein the remote system comprises an alternate application domain *located on a local computing system.* These additional limitations are also not taught or fairly suggested by Trugman.

Claims 11-13

Claims 11-13 depend from claim 1, set forth above. Applicants respectfully submit that claims 11-13 are allowable over the combined teaches of Trugman and Levine.

Levine (U.S. 2003/0177187)

Levine teaches methods of managing collaborative processes including defining a plurality of locales on a plurality of servers, creating a plurality of objects corresponding to players in the plurality of locales, and mediating object state of the objects between the locales in a seamless manner so that the locales form a seamless world. ([0022]). According to Levine, a translator 108 facilitates communications between a server 102 and a plurality of client devices 112 as dictated by information stored in an application database 104 in communication with the server 102. ([0194]). Such communications may take place using a variety of conventional protocols, such at TCP/IP, WAP, CDPD, GPRS, EDGE, UTMS, SMTP, HTTP, and others. ([0195]).

Levine fails to remedy the above-noted deficiencies of Trugman. Specifically, Levine fails to teach or fairly suggest initiating a session with at least two remote systems, *assigning each session to an environment variable configured such that a plurality of commands can concurrently use the session by referring to the environment variable,* and *causing the remote command to be executed concurrently on each of the at*

least two remote systems, including issuing the remote command to the environment variable, as recited in claim 1. Levine is silent as to both "assigning each session to an environment variable," and also silent as to the "environment variable configured such that a plurality of commands can concurrently use the session by referring to the environment variable" as taught by Applicant.

Accordingly, claims 11-13 are allowable over the combined teachings of Trugman and Levine at least due to their dependencies on claim 1.

Claims 14-20

Claim 14, as amended, recites:

> 14.   A computer-executable method of remote execution of a command, comprising:
> receiving at a local system a first command line that identifies a remote system;
> causing a session to be created between the local system and the remote system, the session including a connection to a remote process resident on the remote system;
> *assigning the session to an environment variable configured such that a plurality of commands can concurrently use the session by referring to the environment variable;*
> *issuing a remote command to the environment variable to cause the remote command to be executed in the remote process;* and
> storing results of the remote command in an environment variable associated with the session. (emphasis added).

As described more fully above, Applicants respectfully submit that the Cited References (Trugman and Levine), either singly or in any properly motivated combination, do not disclose, teach, or fairly suggest the computer-readable medium recited in claim 14. Specifically, the Cited References fails to teach or fairly suggest *assigning the session to an environment variable configured such that a plurality of commands can concurrently use the session by referring to the environment variable;* and *issuing a remote command to the environment variable to cause the remote command to*

be executed in the remote process, as recited in claim 14. Both Cited References are silent as to "assigning each session to an environment variable," and while both Cited References are also silent as to the "environment variable configured such that a plurality of commands can concurrently use the session by referring to the environment variable," Trugman teaches away, or at least fairly suggests an opposite (sequential) approach.

Accordingly, claim 14 is allowable over the Cited References. Claims 15-20 depend from claim 14 and are allowable over the combined teachings of Trugman and Levine at least due to their dependencies on claim 14, and also due to additional limitations recited in those claims. For example, claim 15 recites the computer-executable method recited in claim 14, further comprising *issuing a second remote command to the environment variable to cause the second remote command to be concurrently executed in the remote process and storing results of the second remote command in the environment variable*. Claim 16 recites the computer-executable method recited in claim 14, wherein *causing the session to be created comprises creating the environment variable and making the variable available to other tasks*. And claim 18 recites the computer-executable method recited in claim 14, wherein causing a session to be created further comprises *distributing the task of launching the connection to a computing device other than the local system*. These additional limitations are also not disclosed or fairly suggested by the Cited References.

Claims 21-32

Claim 21, as amended, recites:

> 21. A computer-readable medium having computer-executable components, comprising:
> a session manager configured to:
> create and maintain sessions between a local system and one or more remote systems, each session being capable of hosting a plurality of connections between the local system and remote systems;

assign each session to an environment variable configured such that a plurality of commands can concurrently use each session by referring to the environment variable; and

issue a remote command to the environment variable to cause the remote command to be executed on the one or more remote systems;

an aggregator configured to receive results of remote execution of a command, the results being each associated with a remote system, the aggregator being further configured to aggregate the results into an array; and

a throttler configured to, upon request, limit a number of active connections within each session. (emphasis added).

For the reasons described above, Applicants respectfully submit that the Cited References (Trugman and Levine), either singly or in any properly motivated combination, fail to disclose, teach, or fairly suggest the computer-readable medium recited in claim 21. Specifically, the Cited References fails to teach or fairly suggest a session manager configured to: ... *assign each session to an environment variable configured such that a plurality of commands can concurrently use each session by referring to the environment variable; and issue a remote command to the environment variable to cause the remote command to be executed on the one or more remote systems,* as recited in claim 21. Both Cited References are silent as to "assign[ing] each session to an environment variable," and while both Cited References are also silent as to the "environment variable configured such that a plurality of commands can concurrently use the session by referring to the environment variable," Trugman teaches away, or at least fairly suggests an opposite (sequential) approach.

Accordingly, claim 21 is allowable over the Cited References. Claims 22-32 depend from claim 21 and are allowable over the combined teachings of Trugman and Levine at least due to their dependencies on claim 21, and also due to additional limitations recited in those claims. For example, claim 30 teaches the computer-readable medium recited in claim 21, wherein the remote system comprises *a remote agent configured to return information to the local system wherein the information comprises at*

least one of a result of the execution, meta information, and information about the remote system from which the result originated. These additional limitations are also not disclosed or fairly suggested by the Cited References.

CONCLUSION

Applicants respectfully submit pending claims 1-32 are now in condition for allowance. If there are any remaining matters that may be handled by telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

Respectfully Submitted,

Dated: _Sept. 7, 2007_   By: _____
                                 Dale C. Barr
                                 Lee & Hayes, PLLC
                                 Reg. No. 40,498
                                 (206) 315-7916